

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

WP(C).No. 19906 of 2007 (T)

PETITIONER :

**LALITHA B. MENON,
THITTAVILA, DECENT JUNCTION, KOLLAM.**

BY ADV. SRI.SAJU.S.A

RESPONDENTS :

- 1. THE REGIONAL P.F.COMMISSIONER,
EMPLOYEES PROVIDENT FUND ORGANIZATION
BHAVISHYANIDHI BHAVAN, PATTOM, THIRUVANANTHAPURAM.**
- 2. THE RECOVERY OFFICER,
EMPLOYEES PROVIDENT FUND ORGANIZATION,
BHAVISHYANIDHI BHAVAN, PATTOM, THIRUVANANTHAPURAM.**
- 3. UNION OF INDIA REPRESENTED BY ITS
SECRETARY, MINISTRY OF LABOUR, NEW DELHI.**
- 4. THE VILLAGE OFFICER,
THRIKOVILVATTOM VILLAGE, KOLLAM.**
- 5. RADHA CASHEW INDUSTRIES,
CASHEW EXPORTERS, AYATHIL P.O., KOLLAM.**

**R1 & R2 BY ADV. SRI.N.N. SUGUNAPALAN, SC, P.F.
BY ADV. SMT.T.N.GIRIJA, SC,EPF ORGANISATION
R3 BY SRI.N. NAGARESH, SC,
R4 BY GOVERNMENT PLEADER SRI. MANOJ KUNJACHAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 11-03-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

bp

APPENDIX

PETITIONER'S EXHIBITS :

- P1: COPY OF LEASE DEED DT 2/9/1998.**
- P2: COPY OF THE LETTER DT 25/5/2000.**
- P3: COPY OF THE LETTER DT 28/1/2002 ISSUED BY RADHA CASHEW TRADERS TO THE R2.**
- P4: COPY OF THE RECOVERY NOTICE DT 26/7/2006.**
- P5: COPY OF THE LETTER DT 22/5/2007.**

RESPONDENT'S EXHIBITS :

- EXT.R1(A): COPY OF LETTER DT 21/1/2002 ISSUED BY THE PROPRIETRIX OF M/S. SREEKUMAR CASHEW INDUSTRIES TO THE RECOVERY OFFICER, EMPLOYEES PROVIDENT FUND, TRIVANDRUM.**

//TRUE COPY//

P.A. TO JUDGE

bp

K. VINOD CHANDRAN, J

W.P(C) No. 19906 of 2007 T

Dated this the 11th day of March, 2015

J U D G M E N T

The petitioner challenges Ext.P2 order under Section 7A of the Employees Provident Fund and Miscellaneous Provisions Act, 1952 and the recovery proceedings by Ext.P4 and P5. Ext.P2 is an order passed under Section 7A in the year 2000. The petitioner cannot maintain a challenge against that order in the above writ petition filed in the year 2007. The petitioner had a statutory remedy of appeal, which she did not avail of. If Ext.P2 cannot be challenged neither can the recovery based on such order be challenged.

Writ petition is dismissed.

Sd/-
(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge